



PATENTS  
Attorney Docket Number 112284.121

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5/28/03  
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TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tamarkin *et al.*  
Serial No.: 09/883,721  
Filing Date: June 18, 2001  
Title: **Synthetic Fat Composition**

Art Unit: 1761  
Examiner: C. Paden

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 15, 2003  
Date of Signature and  
of Mail Deposit

Maureen DiVito  
Maureen DiVito

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

Applicants hereby respond to the Restriction Requirement dated April 3, 2003, which detailed a five-way Restriction Requirement under 35 U.S.C. §§ 121 and 372.

In response to the Restriction, Applicants elect Group I, claims 1-20, 23-25, 33-38, and 40-45. However, Applicants respectfully inquire whether Group I was really intended to include claims 41-45. The Examiner also included claims 42 and 44, drawn to methods of decreasing blood cholesterol levels, in Group II; claim 43, drawn to a method of achieving weight loss, in Group III; and claims 41 and 45, drawn to therapeutic compositions, in Group IV. In the event that claims 41-45 were included in Group I in error, Applicants elect Group I, claims 1-20, 23-25, 33-38, and 40.

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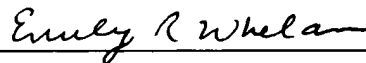
The Examiner also has required that Applicants elect a single species of synthetic fat listed in claim 2 for prosecution. In response, Applicants provisionally elect diacylglycerol. Of the claims in elected Group I, claims 1-20, 23-25, 33-38, and 40-45 read on the elected species.

The Examiner further required that Applicants elect for prosecution a single species of the solidifying agents described in claims 10-12 and 20 that include fatty alcohols. In response, Applicants provisionally elect stearyl alcohol. Of the claims in elected Group I, claims 1-10, 14-19, 23-25, 33-38, and 40-45 read on the elected species.

In requiring the above-described elections of species, the Examiner indicated that claims 2 and 8 are generic. Claim 2 is generic of synthetic fat species, while claim 8 is generic of fatty alcohol species. Applicants respectfully note that the independent claims 1, 33, 36, and 45 are also generic of the invention. Further and favorable consideration of all the claims of record on the merits is respectfully requested.

Applicants hereby petition for a one-month extension of time pursuant to 37 C.F.R. § 1.136 to respond to the Restriction Requirement dated April 3, 2003. Please deduct the \$55.00 fee for this purpose from our Deposit Account No. 08-0219. No other fees are believed to be due in connection with this correspondence. However, please charge any payments due or credit any overpayments to our Deposit Account No. 08-0219.

Respectfully submitted,



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May 15, 2003

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